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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,475	05/15/2001	Naomi Go	206677US6	8087

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EXAMINER

LIN, KENNY S

ART UNIT PAPER NUMBER

2154

DATE MAILED: 01/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/854,475

Applicant(s)

GO, NAOMI

Examiner

Kenny Lin

Art Unit

2154

-- **Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 1-6 and 11-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date hereto.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-17 are presented for examination. Claims 7-10 are elected for examination.
2. Applicant's election with traverse of Group I in the reply filed on 9/27/2004 is acknowledged. The traversal is on the ground(s) that the mans-plus function claim terminology fails to show that the combination as claimed does not require the particulars of the sub-combination. This is not found persuasive because the claims of Group II claim information-processing apparatus which does not require the subcombination of information-presenting apparatus claimed in the claims of Group I. The combination as claimed (Group II) does not require the particulars of the subcombination (Group I) as claimed because the subcombination has separate utility. See MPEP 806.5(c) example I.

The requirement is still deemed proper and is therefore made FINAL.

3. Claims 1-6 and 11-17 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected Group, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 9/27/2004.
4. The information disclosure statement (IDS) submitted on 11/26/2001 is being considered by the examiner.

Art Unit: 2154

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 7-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Akester et al (hereinafter Akester), WO 97/37499, published on October 9, 1997.

7. As per claims 7 and 9-10, Akester taught the invention as claimed including an information-processing apparatus, method and a program-storing medium for storing a computer-executable program, comprising:

- a. An input control means for controlling an operation to input transmitted information on a first transmission destination (e.g., voice message service), a second transmission destination (e.g., office telephone number) and a criterion for selecting either said first transmission destination or said second transmission destination from an information-presenting apparatus (page 1, lines 19-33, page 7, lines 12-19, page 21, lines 7-10, 29; priorities or confidence value CV); and
- b. A transmission control means for controlling transmission of information on said first transmission destination, said second transmission destination and a criterion for selecting either said first transmission destination or said second transmission destination to said information-presenting apparatus (page 6, lines 9-21, page 7, lines 1-11, page 21, lines 20-22).

Art Unit: 2154

8. As per claim 8, Akester taught the invention as claimed in claim 7. Akester further taught said input control means further controls an operation to input transmission-method information indicating a first transmission method for said first transmission destination and a second transmission method for said second transmission destination, whereas said transmission control means is capable of controlling transmission of information on transmission methods to said information-presenting apparatus (initiating call using corresponding phone numbers, page 6, lines 9-21, page 7, lines 1-11).

### *Conclusion*

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Porter et al, US 6,181,781.

Uniacke, US 6,564,258.

Matsuzaki et al, US 6,633,911.

O'Neal, US 6,711,154.

Zimmers et al, US 6,816,878.

Omoigui, US 6,694,352.

10. A shortened statutory period for reply to this Office action is set to expire **THREE MONTHS** from the mailing date of this action.


Art Unit: 2154

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksl  
December 21, 2004

  
JOHN FOLLANSBEE  
SUPERVISOR, PATENT EXAMINER  
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